

ORIGINAL

United States District Court

NORTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

LOUIS E. GRAY (01)

CRIMINAL COMPLAINT

CASE NUMBER: 4:11-MJ-

Deputy

CLERK, U.S. DISTRICT COURT

FILED

JUL -6 2011

I, Noel Jones, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 6, 2011, in Tarrant County, in the Northern District of Texas defendant did,

knowingly possess visual depictions of minors engaged in sexually explicit conduct, the production of which involved the use of minors engaged in sexually explicit conduct, that had been mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, to wit: Gray used the Internet to possess images of minors engaged in sexually explicit conduct. ;

in violation of Title 18, United States Code, Section(s) 2252(a)(4).

I further state that I am a Special Agent with Homeland Security Investigations (HSI), and that this complaint is based on the following facts:

See attached Affidavit of Special Agent Noel Jones, which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



Noel Jones, Senior Agent
Homeland Security Investigations

Sworn to before me and subscribed in my presence, on this 6th day of July 2011, at Fort Worth, Texas.

HONORABLE JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT

I, Noel Jones, being duly sworn, declared and state as follows:

INTRODUCTION

1. I am a Special Agent with the Department of Homeland Security- Immigration and Customs Enforcement currently assigned to the Office of the Special Agent in Charge, Dallas, Texas (SAC/Dallas) and been so employed for approximately seven years. I am responsible for investigations involving the production, importation, advertising, receipt, possession and distribution of child pornography which occur in the Northern District of Texas. I have received training through DHS-ICE in the areas of child pornography and child sexual exploitation, as well as specialized instruction in conducting investigations of individuals targeted for possessing, receiving or distributing child pornography. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

2. This affidavit sets forth facts and suggest reasonable inferences from those facts, establishing that there is probable cause to believe that on or about July 6, 2011, in the Northern District of Texas, Louis E. GRAY committed the offense of Possession of Child Pornography, in violation of 18 U.S.C. § 2252(a)(4).

3. The information contained in this affidavit is from Affiant's personal knowledge of the described investigation and from information obtained from other law enforcement agents.

OVERVIEW OF INVESTIGATION

4. A growing phenomenon on the Internet is peer-to-peer file-sharing (P2P). P2P allows individuals to meet each other through the Internet, engage in social networking and trade files. One aspect of P2P file sharing is that multiple files may be downloaded in parallel, which permits downloading more than one file at a time.

5. A P2P file transfer is assisted by reference to an Internet Protocol (IP) address. This address, expressed as four sets of numbers separated by decimal points, is unique to a particular computer during an online session. The IP address identifies the location of the computer with which the address is associated, making it possible for data to be transferred between computers. Third-party software is available to identify the IP address of the P2P computer sending the file. Such software monitors and logs Internet and local network traffic.

6. On April 11, 2011, Orange County, Texas Sheriff's Office Detective Richard Fergon (Det. Fergon) was utilizing a peer-to-peer software to locate individuals offering to share child pornography. While on the peer-to-peer software, Det. Fergon noticed an individual utilizing the IP Address 71.81.180.45 (TARGET IP ADDRESS) had offered to share child pornography. Det. Fergon noticed this individual had multiple images which are known to law enforcement as child pornography. These images matched the SHA1 values of previously identified images of child pornography. A check of publicly available websites as well as additional

investigation determined the TARGET IP ADDRESS was registered to a user in a residence in Fort Worth, Texas.

7. On July 6, 2011, a search warrant was executed at the Louis E. GRAY residence in Fort Worth, Texas. GRAY, lives alone at the residence and consented to be interviewed. GRAY was told that he was free to go at anytime. During the interview, GRAY signed a Miranda waiver and stated that his laptop was password protected and provided the password to SA Jones. GRAY also confirmed that he used Charter Communications for his Internet access. GRAY stated that he was aware of how file-sharing programs operate and had used the file-sharing program Bearshare in the past. SA Jones asked GRAY if they were going to find any child pornography on his computers. GRAY responded that he would, "rather not say." SA Jones asked why he would rather not say and stated that they were trying to determine if child pornography was going to be on the computer and how it got onto the computer. GRAY responded by stating that it was, "entirely possible."

8. A total of two working computers and approximately seventeen (17) hard drives were located within the defendant's residence. At this time only two hard drives which were manufactured outside the state of Texas have been previewed and each contained child pornography. An estimate of the total number of child pornography images/videos from these two hard drives would be two thousand five hundred (2,500) images/videos.

9. Three (3) of the files from the two hard drives that depict child pornography possessed by the defendant have the following names and are briefly described:

a) **9yo sucking cock and moaning, new,very hot, amatuer.avi**

This is a video file that depicts a blindfolded minor female forced to perform oral sex on an adult male.

b) **BabyJ-Long.mpg**

This is a video file that depicts the lewd and lascivious exhibition of the genitals of a prepubescent minor female;

c) **T-24237962-(pthc)pedo 9yo.panties molest.mpg**

This is a video file that depicts the lewd and lascivious exhibition of the genitals of a prepubescent minor female.

These three videos were located within a file titled "pthc" on one of the defendant's hard drives. From prior investigations it is my experience that "pthc" stands for pre-teen hard core.

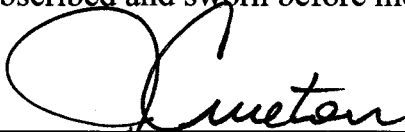
CONCLUSION

Based on the foregoing facts and circumstances, I respectfully submit that there is probable cause to believe that on or about July 6, 2011, in the Fort Worth Division of Northern District of Texas, Louis E. GRAY committed the offense of Possession of Child Pornography, in violation of 18 U.S.C. § 2252(a)(4).



Noel Jones
Special Agent, Homeland Security Investigations

Subscribed and sworn before me this 6th day of July, 2011, at 1:29 p.m.



HONORABLE JEFFREY L. CURETON
United States Magistrate Judge